

consumption, and the processing circuitry calculates power consumption taking account of clock operating speed --

B1  
--17. A method according to Claim 12, wherein the portable utilization device is operative to automatically switch to a second battery in response to a low power condition of said battery pack without loss of data.--

Concl'd C  
--18. A method according to Claim 12, wherein the step of controlling the utilization of the battery pack is effected by the processing circuitry of the portable utilization device.--

### REMARKS

Claims 1-8 have received an action on the merits in the above application. Claims 9-10 have been withdrawn from consideration as being drawn to a non-elected invention, and are hereby cancelled without prejudice. Claims 1-5 have been rejected under the judicially created doctrine of double patenting, and are being cancelled without prejudice. Claims 6-8 were indicated to be allowable over the art of record.

The applicant confirms the verbal election to prosecute claims 1-8. Claims 9-10 will be prosecuted in a divisional application filed before the termination of proceedings in this case.

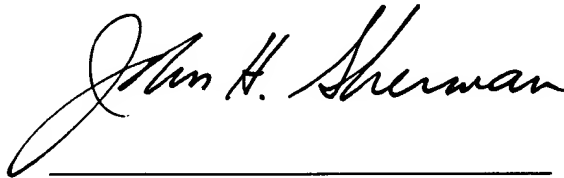
Claims 1-5 have been rejected under the judicially created doctrine of double patenting. Claims 1-5 have been cancelled by the applicant and will be

pursued in a continuing application to be filed by the applicant before the termination of proceedings in this case.

Claims 6-8 were indicated to be allowable. New claims 11-18 are patterned after allowed claim 6, and are considered to be patentable along with claims 6, 7 and 8. Since claims 6-8 and 11-18 are the only remaining claims in the case, applicant requests the examiner to issue a notice of allowance as to those claims. The examiner is invited to telephone the applicant's undersigned attorney at (319) 369-3661 if any unresolved matters remain.

A Petition for a Three Month Extension of Time accompanies this paper. Please charge any additional fees and credit any overpayment incurred in connection with this Amendment And Response and Petition for a Three Month Extension of Time to Deposit Account No. 14-1190.

Respectfully submitted,

A handwritten signature in cursive script, reading "John H. Sherman". The signature is written in dark ink and is positioned above a horizontal line.

August 12, 1996

Date

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